

Amendments to the Drawings:

The sheets of drawings attached in the Appendix include changes to Figures 4 and 8. These sheets replace the original sheets. Reference numbers have been added to the drawings to indicate claimed elements. Support for these changes is found throughout the specification. No new matter has been added.

REMARKS

The Examiner's comments from the Office Action mailed February 4, 2008 have been carefully considered. Claims 4 and 11 have been cancelled without prejudice or disclaimer. Claims 1-3, 5-10, and 12-16 remain pending in the application and claims 17 and 18 have been newly added. Editorial revisions have been made to claims 1-3, 5, 8-10, 12, 13, and 15. Further editorial revisions have been made to Figure 4 and 8 to add reference numbers to indicate claimed elements which were previously described in the specification. The specification has been amended to add the reference numbers to increase conformity with the drawings. No new matter has been added.

Reexamination and allowance of the pending claims are respectfully requested.

Allowable Claims

Applicants thank the Examiner for indicating claims 2, 3, 5-10, and 15 would be allowable if rewritten in independent form including all features of the base claim and any intervening claims. Claims 2 and 3 have been rewritten in independent form as new claims 17 and 18. Editorial revisions made to claims 1-3 also have been incorporated into new claims 17 and 18.

Applicants further thank the Examiner for indicating claims 4 and 11-14 would be allowable if rewritten to overcome the rejection under 35 U.S.C. 112 as set forth in the Office Action and in independent form including all features of the base claim and any intervening claims. Claims 4 and 11 have been cancelled without prejudice or disclaimer. Claims 12 and 13 have been rewritten to overcome the rejection under 35 U.S.C. 112 as set forth in the Office Action. Claim 14 was rejected as being dependent on claim 13.

Accordingly, claims 2, 3, 5-10, 12-15, 17, and 18 are allowable.

Objections to the Drawings

Objection has been made to the drawings for omitting claimed features. In particular, the Examiner requests the cover means and rotations means recited in claim 1, the food container

recited in claim 3, the locking means and the counter device recited in claim 4, the vibrating means recited in claim 11, and the guide recited in claim 12 be shown in the drawings.

The Examiner's comments have been considered and appropriate correction has been made. Figure 8 has been amended to add reference numbers 60 and 62 to indicate the cover means and the rotation means, respectively. Figure 4 has been amended to add reference number 64 to show the food container. A clean copy and an annotated copy of these Figures can be found in the Appendix to this document.

Claims 4 and 11 have been cancelled without prejudice or disclaimer, thereby rendering the objection with respect to the locking means, the counter device, and the vibrating means moot. Claims 12 and 13 have been amended to remove the affirmative claim to the guide. Accordingly, withdrawal of the objection is respectfully requested.

Claim Rejections

Claims 4 and 11-14 have been rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. In particular, the Examiner asserts the locking means recited in claim 4, the vibrating means recited in claim 11 and the guide recited in claims 12-14 have inadequate support in the specification.

Without agreeing with the Examiner's assertion, Applicants have cancelled claims 4 and 11 to expedite prosecution of the application. Applicants also have amended claims 12 and 13 to remove the affirmative recitation of a guide. Claim 14 was rejected as being dependent on claim 12. Accordingly, withdrawal of the rejection is respectfully requested.

Claims 1 and 16 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 4,765,232 to Reid. Applicants respectfully traverse the rejection.

Claim 1 recites, in part, a receptacle configured to contain heat transfer fluid. The receptacle is positioned such that a pocket extends into the heat transfer fluid contained in the receptacle when the pocket is arranged in a downwardly directed inclined position.

Reid does not disclose or suggest a receptacle configured to contain heat transfer fluid. Rather, Reid discloses a cart containing a rotatable spit in which food can be heated over

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charcoal or brickets. See *Reid*, column 2, lines 61-63 and FIG. 2. In operation, food contained within baskets 60 of Reid is rotated over heat source 54. See Reid, column 4, lines 3-5. No motivation is provided in Reid or elsewhere to modify the heat source 54 to contain heat transfer fluid. In fact, the rotating baskets 60 of Reid would not function properly to cook the food if such a modification was made. "If proposed modification would render the prior art invention being modified unsatisfactory for its intended purpose, then there is no suggestion or motivation to make the proposed modification." M.P.E.P. § 2143.01 (V) (citing *In re Gordon*, 733 F.2d 900, 221 USPQ 1125 (Fed. Cir. 1984)).

For at least these reasons, Reid does not anticipate claim 1. Claim 16 depends from claim 1 and is allowable for at least the same reasons. Withdrawal of the rejection and allowance of claims 1 and 16 are respectfully requested. Applicants do not otherwise concede the correctness of the rejection and reserve the right to make additional arguments if necessary.

Conclusion

In view of the above amendments and remarks, Applicant respectfully requests a Notice of Allowance. If the Examiner believes a telephone conference would advance the prosecution of this application, the Examiner is invited to telephone the undersigned at the below-listed telephone number.



Date: _____

4 Aug '08

Respectfully submitted,

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A handwritten signature in black ink, appearing to read "Mark T. Skoog". The signature is written over a horizontal line.

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